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OCT 12 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: VARRIANO-MARSTON, Elizabeth Group Art Unit: 1772
Serial No. 09/877,757 Examiner: Patterson, Marc
Filed: 06/08/2001 Atty. Dkt. No: MARS93-DIV
For: REGISTERED MICROPERFORATED FILMS FOR MODIFIED/CONTROLLED
ATMOSPHERE PACKAGING
To: Mail Stop Amendment From: 24222
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE 37 CFR 1.8: I certify that this correspondence is being faxed to: Examiner Patterson
at FAX #: 571.273.8300, TEL #: 571.272.1497 on the below date.

Date: October 12, 2005[☒] Debra A. Stengel or [☐] Scott J. Asmus, Reg. No. 42,269

Commissioner:

OFFICE ACTION RESPONSE**AMENDMENT**

10/13/2005 TL0111 00000044 09877757

01 FC:2251

60.00 OP

INTRODUCTORY COMMENTS

In response to the Office's Non-Final Office Action dated 06/30/2005, the Applicant has timely enclosed herein: 1) 25 page Non-Final Office Action Response; 2) 6 pages Test Data for Exhibits 1-6; 3) 11 pages unofficial translation of JP 9-98658; and 1 page Credit Card Payment Form PTO-2038 in the amount of \$ 60.00 to cover fee for extension to respond within first month. Application should be in condition for allowance or, in the alternative, in better condition for appeal and thus should be entered.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.

[X] DEPOSIT ACCOUNT 500323 AUTHORIZATION - All necessary fees relating to the attached submittal, if any, are intended to be included. However, the Office is hereby authorized to charge any deficiency or credit any overpayment in the fees relating to the submittal to deposit account 500323, registered to Vernon C. Maine P.L.L.C., dba Maine & Asmus, contact telephone no. 603-886-6100.